

Remarks

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 85-100 are pending in the application, with claims 85 and 88 being the independent claims. Claims 1-84 are sought to be cancelled without prejudice to or disclaimer of the subject matter therein. New claims 85-100 are sought to be added. Support for the amendment can be found, *inter alia*, at page 5, line 27 to page 6, line 11; page 10, line 32 to page 11, line 8; page 13, lines 23-33; and Examples 4-5, 8 and 10 of the specification. These changes are believed to introduce no new matter, and their entry is respectfully requested.

The new claims 85-100, and the cancellation of claims 1-84, are believed to place this application in condition for allowance. Applicants respectfully request that the amendments be entered and considered.

Based on the above amendment and the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

Election Requirement

The Examiner has maintained the requirement under 35 U.S.C. § 121 to elect a single species of adjuvant as recited in claim 77 and a single disclosed species for prosecution from the following groups:

- a) The method of claims 56-67, 70 and 71 which administers a peptide; and

- b) The method of claims 68 and 69 which uses a screening step before administering a peptide.

See page 2 of Paper No. 200509 and page 2 of Paper No. 36. Applicants respectfully traverse this rejection for the reasons set forth in the previous replies. See, e.g., Response to Restriction Requirement filed on October 31, 2003 and Response to Office Communication filed on August 18, 2004. Nonetheless, solely to expedite allowance of this application, claims 1-84 have been canceled. Thus, the election requirement is moot.

Information Disclosure Statement of May 23, 2002

The Examiner states that the Information Disclosure Statement filed on May 23, 2002 fails to comply with 37 C.F.R. § 1.97(c) because it lacks a statement as specified in 37 C.F.R. § 1.97(e) or the fee set forth in 37 C.F.R. § 1.17(p). See paragraph 5, page 2 of Paper No. 200509. Further to the Examiner's comments, Applicants submit herewith a Second Supplemental Information Disclosure Statement to comply with 37 C.F.R. § 1.97(c) and include a statement as specified in 37 C.F.R. § 1.97(e) and the fee as set forth in 37 C.F.R. § 1.17(p). Applicants have not provided copies of the documents cited on the IDS Forms filed on May 23, 2002, but can provide copies of these documents at the Examiner's request. Copies of the IDS Forms filed on May 23, 2002 are enclosed for the Examiner's convenience.

Rejections under 35 U.S.C. § 112

The Examiner has rejected claims 68-69 and 73-80 under 35 U.S.C. § 112, first paragraph, for failing to comply with the written description requirement. *See* paragraph 9, page 3 of Paper No. 200509. Applicants respectfully traverse this rejection for the reasons set forth in the previous replies. *See, e.g.,* Amendment with Request for Extension of Time and Interview filed on May 23, 2002. Nonetheless, solely to expedite allowance of this application, claims 1-84 have been canceled. Thus, the rejection under 35 U.S.C. § 112, first paragraph, is moot.

Rejections under 35 U.S.C. § 103

The Examiner has rejected claims 68-69, 73 and 76-78 as being unpatentable under 35 U.S.C. § 103(a) over Russell-Jones *et al.* (WO 92/05192) in view of Zanetti *et al.* (U.S. Patent No. 5,658,762), Wolfson *et al.*, Lowenadler *et al.*, and the prior art disclosed in the specification (page 2, Talwar *et al.*). *See* paragraph 13, page 5 of Paper No. 200509. Applicants respectfully traverse this rejection for the reasons set forth in the previous replies. *See, e.g.,* Amendment with Request for Extension of Time and Interview filed on May 23, 2002. Nonetheless, solely to expedite allowance of this application, claims 1-84 have been canceled. Thus, the rejection under 35 U.S.C. § 103 is moot.

The Examiner has also rejected claims 74-75 and 79-80 as being unpatentable under 35 U.S.C. § 103(a) over Russell-Jones *et al.* in view of Zanetti *et al.*, Wolfson *et al.*, Lowenadler *et al.*, and the prior art disclosed in the specification (page 2, Talwar *et al.*) as applied to claims 68-69, 73 and 76-78 and further in view of Hellman (WO

93/05810) and Le *et al.* (U.S. Patent No. 5,698,195). *See* paragraph 14, page 8 of Paper No. 200509. Applicants respectfully traverse this rejection for the reasons set forth in the previous replies. *See, e.g.*, Amendment with Request for Extension of Time and Interview filed on May 23, 2002. Nonetheless, solely to expedite allowance of this application, claims 1-84 have been canceled. Thus, the rejection under 35 U.S.C. § 103 is moot.

Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

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Date: October 10, 2006

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